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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,412	09/23/2004	Armand Victor Wemelsfelder	NL 020237	8050

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
HOLDER, ANNER N	

ART UNIT	PAPER NUMBER
2621	

MAIL DATE	DELIVERY MODE
06/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/509,412	WEMELSFELDER, ARMAND VICTOR	
	Examiner	Art Unit	
	Anner Holder	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-9 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-9 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 10/24/05.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. Figures 1, 2, and 4 are objected to as depicting a block diagram without "readily identifiable" descriptors of each block, as required by 37 CFR 1.84(n). Rule 84(n) requires "labeled representations" of graphical symbols, such as blocks; and any that are "not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable." In the case of figures 1,2, and 4, the blocks are not readily identifiable per se and therefore require the insertion of text that identifies the function of that block. That is, each vacant block should be provided with a corresponding label identifying its function or purpose.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.

(b) CROSS-REFERENCE TO RELATED APPLICATIONS.

(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.

(d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.

(e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.

(f) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(g) BRIEF SUMMARY OF THE INVENTION.

(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(i) DETAILED DESCRIPTION OF THE INVENTION.

(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 2, 5, 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 USC § 102

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Agarwal et al. US 5,532,940.

As to claim1, Agarwal teaches encoding a digital video stream [Abstract; Col. 1 Lines 21-26], the method comprising the steps of dividing frames of the video stream into blocks; [Col. 5 Lines 49-53] selecting quantizer scale values for respective ones of the blocks, [Col. 11 Lines 30-39; Fig. 4] under control of a complexity of a content of image information in the respective ones of the blocks, wherein an effect, of fluctuations of the complexity as a function of time

and/or position of the respective ones of the blocks, on temporal and or spatial fluctuations of the quantizer scale values is dampened; [Fig. 4; Col. 12 Lines 48-51; Col. 5 Lines 35-64; motion vector calculation has complexity respective of the marcoblocks] computing video data quantizer according to the selected quantizer scale values; [Fig. 4; Col. 5 Lines 35-64; Col. 11 Lines 30 – Col. 13 Lines 12] generating an encoded video stream comprising the quantized video data. [Fig. 4; Col 16 Lines 63-65]

5. As to claim 2, Agarwal teaches preselecting preliminary values for the quantizer scale values for respective ones of the blocks, under control of the complexity; [Fig. 4; Col. 11 Lines 30-39] temporally and or spatially low-pass filtering the preliminary values to determine the quantizer scale values to be used in the computing step. [Fig. 4; Col. 6 Lines 56-61]

6. As to claim 3, Agarwal teaches encoding a digital video stream according to Claim 1, wherein the digital video stream is an encoded video stream comprising information representing quantized input values, and requantizing the quantized input values according to the selected quantizer scale values. [Fig. 4; Col. 8 Lines 1-4]

7. As to claim 4, Agarwal teaches a succession of blocks from successive frames to each other on the basis of estimated motion vectors, the selecting step comprising temporally low-pass filtering a succession of quantization values that are provisionally selected for the successive blocks respectively. [Fig. 4; Col. 6 Lines 35-46, 56-61]

8. As to claim 5, Agarwal teaches a system for encoding a digital video stream [Abstract; Col. 1 Lines 21-26], the system comprising a pre-processor arranged to compute image information for respective blocks of pixels in frames of the video stream; [Fig. 4; Col. 5 Lines 36-53] a quantizer arranged to quantize the computed image information, [Fig. 4; Col. 5 Lines

49-53; Col. 11 Lines 30-39] using block dependent quantizer scale values; [Fig. 4; Col. 11 Lines 30-39] an encoded video stream generator arranged to generate an encoded stream that encodes the quantized video data; [Fig. 4; Col 16 Lines 63-65] a quantization scale selector arranged to select quantizer scale values for respective ones of the blocks, [Col. 11 Lines 30-39; Fig. 4] under control of a complexity of a content of image information in the respective ones of the blocks, wherein an effect, of fluctuations of the complexity as a function of time and/or position of the respective ones of the blocks, on temporal and or spatial fluctuations of the quantizer scale values is dampened. [Fig. 4; Col. 12 Lines 48-51; Col. 5 Lines 35-64]

9. As to claim 6, Agarwal teaches a preselector for preselecting preliminary values for the quantizer scale values, for respective ones of the blocks, under control of the complexity; [Fig. 4; Col. 11 Lines 30-39] a low pass filter unit for temporally and or spatially low-pass filtering the preliminary values to determine the quantizer scale values. [Fig. 4; Col. 6 Lines 35-46, 56-61]

10. As to claim 7, Agarwal teaches the pre-processor being arranged to compute the image information from an incoming encoded video stream with quantized input signal values, [Fig. 4; Col. 5 Lines 36-53] the quantizer requantizing the quantized input values. [Fig. 4; Col. 8 Lines 1-4]

11. As to claim 8, Agarwal teaches the filter temporally low pass filtering preselected quantization that are pre-selected for a succession of selected blocks in different frames, the selected blocks being related to each other by motion vectors estimated for the frames. [Fig. 4; Col. 6 Lines 35-46, 56-61]

12. As to claim 9, Agarwal teaches a computer program with instructions for programming a computer to execute the method according to Claim 1. [Col. 1 Lines 59-60]

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anner Holder whose telephone number is 571-270-1549. The examiner can normally be reached on M-Th, M-F 8 am - 3 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dastouri Mehrdad can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ANH 05/24/07

TUNG VO
PRIMARY EXAMINER